



W.P.No.4198 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.4198 of 2024

R.Saroja

... Petitioner

versus

1.The District Collector,
Office of the Collectorate,
Dharmapuri District.

2.The Tahsildar,
Office of the Taluk Office,
Pappireddipatti Taluk,
Dhamapuri District.

3.The Revenue Tahsildar,
Office of the Taluk Office,
Pappireddipatti Taluk,
Dhamapuri District.

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, praying
to issue a Writ of Mandamus, directing the respondents herein to survey and



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demarcate the boundary of the petitioner's land comprised in Survey No. 240/2b, ad-measuring an extent of 0.5 cents situated at Chinthalpadi Village, Pappireddipatti Taluk, Dharmapuri District based on the fee remitted on 02.06.2022 and 12.10.2022 by the petitioner and issue separate patta in the name of the petitioner within the time frame as fixed by this Court.

For Petitioner : Mr.D.Babu Varadharajan
For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

Mr.T.Arun Kumar, learned Additional Government Pleader accepts notice for the respondents. With the consent of both the parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The writ petition has been filed seeking for issuance of a writ of mandamus, directing the respondents herein to survey and demarcate the boundaries of the petitioner's land comprised in Survey No.240/2b, ad-measuring an extent of 0.5 cents situated at Chinthalpadi Village,



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Pappireddipatti Taluk, Dharmapuri District, based on the fees remitted on 02.06.2022 and 12.10.2022 by the petitioner and issue separate Patta in the name of the petitioner within a time frame as fixed by this Court.

3. Learned counsel for the petitioner submitted that the petitioner, who is aged about 71 years, has purchased the subject property, vide registered sale deed dated 23.07.2012. While so, the petitioner has made several representations both orally and written to the respondents, seeking to survey and demarcate the boundaries of the subject property and also to issue separate Patta in the name of the petitioner. Since no fruitful orders are forthcoming, the petitioner has given a fresh representation to the second respondent on 27.06.2023, by paying requisite fees to the third respondent on 02.06.2022 and 12.10.2022. However, the second respondent has not taken any action on the said representation till date. Hence, the present writ petition has been filed.



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4. Learned Additional Government Pleader appearing for the respondents submits that the said representation of the petitioner will be considered as expeditiously as possible.

5. Heard both sides and perused the materials available on record.

6. Since this writ petition is filed for Mandamus simpliciter, to direct the respondents to consider the said representation of the petitioner, this Court, without expressing any view or opinion with regard to the merits of the case, directs the second respondent to consider the representation of the petitioner dated 27.06.2023, after giving due opportunity of hearing to the petitioner as well as rival claimants/objectors/adjacent owners/interested parties, if any, as the case may be, and pass appropriate orders on merits and in accordance with law. After enquiry, if the second respondent finds that the petitioner is entitled to get Patta, the same shall be issue immediately without any further delay, as the petitioner is a senior citizen and the said



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representation is pending for long time. All such exercise shall be completed within a period of two months.

7. It is needless to state that this Court by order dated 09.06.2023 in a batch of writ petitions in ***W.P.No.262 of 2018, etc., [D.Tulasi Vs. The District Revenue Officer, Dharmapuri] etc.***, had already given directions to the Registration Department that if any application has been received, the same has to be disposed of as early as possible. Pursuant to the above direction, a circular dated 17.07.2023 has been issued by the Commissioner of Land Administration in a Circular No.R1/2005632/2022, in which, time limit is fixed as six months to dispose of the application/revision/representation/ appeal. In the present case, the petitioner has given the representation on 27.06.2023, but till date, the petitioner has not received any communication/notice from the authority concerned, and therefore, the petitioner has approached this Court.



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8. Hence, the appointing authority/disciplinary authority/District Collector/Chief Secretary, Government of Tamil Nadu, as the case may be, is directed to take departmental action against the second respondent who was working at the relevant point of time, as to why he/she has neither followed the order of this Court dated 09.06.2023 in ***W.P.No.262 of 2018 [D.Tulasi Vs. The District Revenue Officer, Dharmapuri] etc.***, nor the circular dated 17.07.2023 bearing Circular No. R1/2005632/2022 and file action taken report before this Court within a period of two months.

Post the writ petition 'FOR REPORTING COMPLIANCE' on 23.04.2024.

22.02.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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Office to note: Issue order copy by 26.02.2024

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To

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P.VELMURUGAN, J.

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